

1 Honorable Thomas S. Zilly
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

M.R., S.J., C.B., D.W., A.B., M.B., An.B, J.B.,
K.S., T.M., A.R., M.J.B., J.H., H.C., THE ARC
OF WASHINGTON, SERVICE EMPLOYEES
INTERNATIONAL UNION HEALTHCARE
775NW and PUGET SOUND ALLIANCE
FOR RETIRED AMERICANS,

12 Plaintiffs,

13 v.

14 SUSAN DREYFUS, in her professional
15 capacity as Secretary of Washington State
16 Department of Social and Health Services and
17 WASHINGTON STATE DEPARTMENT OF
SOCIAL AND HEALTH SERVICES, a
Department of the State of Washington,

18 Defendants.

No. 2:10-cv-02052-TSZ

STIPULATED MOTION AND
[PROPOSED] ORDER EXTENDING CASE
SCHEDULE FOR AN ADDITIONAL 21
DAYS

NOTE ON MOTION CALENDAR:
August 30, 2013

19 Plaintiffs and Defendants hereby jointly request that the Court extend the case schedule
20 by an additional 21 days, to permit the parties to engage in further settlement discussions aimed
21 at resolving the case.

22 On July 18, 2013, Plaintiffs and Defendants informed the Court that the parties
23 intended to engage in settlement discussions aimed at resolution of the case and requested a 40-
24 day stay of proceedings and accompanying 40-day postponement of deadlines in order to
25 determine whether settlement could be reached. Dkt. 281. On July 22, 2013, this Court signed
26 that stipulation and order, requiring the parties to file a joint status report regarding the
27 settlement discussions no later than August 30, 2013. Dkt. 282.

STIPULATED MOTION AND [PROPOSED] ORDER TO FURTHER
EXTEND CASE SCHEDULE (2:10-cv-02052-TSZ) - 1

No. 2:10-cv-02052-TSZ

10099.1 ge081201

MACDONALD HOAGUE & BAYLESS
705 Second Avenue, Suite 1500
Seattle, Washington 98104
Tel 206.622.1604 Fax 206.343.3961

1 Plaintiffs and Defendants have engaged in and are continuing to engage in settlement
 2 discussions aimed at resolution of the case, believe that such a resolution is likely, but need an
 3 additional 21 days to determine whether settlement can be reached. Maintaining the stay of all
 4 parties' discovery and motions obligations during that time period would be helpful in
 5 facilitating those additional settlement discussions. The parties therefore jointly propose the
 6 following:

- 7 • The October 8, 2013 and January 14, 2014 deadlines for dispositive motions shall
 8 be postponed by 21 days to October 29, 2013 and February 4, 2014;
- 9 • The parties' discovery obligations shall be stayed for the next 21 days;
- 10 • The parties shall file a joint status report no later than September 20, 2013
 11 informing the Court of the status of settlement discussions;
- 12 • If the parties report that they have not resolved the case, Defendants' motion for
 13 summary judgment on due process issues (Dkt. 269), Plaintiffs' cross-motion (Dkt.
 14 275), and Defendant's reply and cross-response (Dkt. 278) shall be re-instated and
 15 renoted for September 27, 2013, with Plaintiffs' reply in support of cross-motion
 16 due at that time.

17 Respectfully and jointly submitted and stipulated to this 30th day of August 2013.

18 MacDONALD HOAGUE & BAYLESS

ALTSHULER BERZON LLP

19 By: /s/ Katrin E. Frank
 20 Katrin E. Frank, WSBA #14786
 21 Attorneys for Plaintiffs

By: /s/ Stacey Leyton
 22 Stacey Leyton, CABA #203827
 23 *pro hac vice* Attorneys for Plaintiffs

24 WASHINGTON STATE ATTORNEY GENERAL

25 By: /s/ John K. McIlhenny, Jr.
 26 William Bruce Work, WSBA # 33824
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 Jonathan Bashford, WSBA # 39299
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27 STIPULATED MOTION AND [PROPOSED] ORDER TO FURTHER
 EXTEND CASE SCHEDULE (2:10-cv-02052-TSZ) - 2

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1 Attorneys for Defendant

2 DATED this 30th day of August 2013.

3 **ORDER**

4 The parties having stipulated, the Court now approves the stipulation and orders the
5 following:

6 • The October 8, 2013 and January 14, 2014 deadlines are postponed to October 29,
7 2013 and February 4, 2014;

8 • The parties' discovery obligations are stayed for the next 21 days;

9 • The parties shall file a joint status report no later than September 20, 2013 informing
10 the Court of the status of settlement discussions;

11 • If the parties report that they have not resolved the case, Defendants' motion (Dkt.
12 269) and Plaintiffs' cross-motion (Dkt. 275) shall be rescheduled for September 27, 2013,
13 with Plaintiffs' reply in support of cross-motion due at that time.

14
15 DATED this __ day of _____, 2013

16 _____
Hon. Thomas S. Zilly
United States District Court Judge

17
18 PRESENTED BY:

19 MacDONALD HOAGUE & BAYLESS

20 By: /s/ Katrin E. Frank
21 Katrin E. Frank, WSBA #14786
22 Attorneys for Plaintiff

23 ALTSHULER BERZON LLP

24 By: /s/ Stacey Leyton
25 Stacey Leyton, CABA #203827
26 Pro hac vice Attorneys for Plaintiffs

27
STIPULATED MOTION AND [PROPOSED] ORDER TO FURTHER
EXTEND CASE SCHEDULE (2:10-cv-02052-TSZ) - 3

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STIPULATED MOTION AND [PROPOSED] ORDER TO FURTHER
EXTEND CASE SCHEDULE (2:10-cv-02052-TSZ) - 4

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing to the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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DATED this 30th day of August, 2013.

ALTSHULER BERZON LLP

By: /s/ Stacey Leyton
Stacey Leyton, CSBA #203827
Pro hac vice Attorneys for Plaintiffs

STIPULATED MOTION AND [PROPOSED] ORDER TO FURTHER
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